

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

STEPHEN PATRICK KELLY,

Plaintiff,

vs.

ALBERTSONS, INC., HOLLIE
STEPLETON, ALEXANDER
MATTUCCI, and JANE DOE, A.K.A.
HEATHER,

Defendants.

No. CV-22-75-BU-BMM

ORDER

Plaintiff Stephen Patrick Kelly (“Kelly”) filed this action on November 1, 2022. (Doc. 2.) The Court granted Kelly’s Motion for leave to proceed in forma pauperis (Doc. 1) on December 13, 2022. (Doc. 7.) The Court received a notice of undeliverable mail on January 9, 2023. (Doc. 8.) Local Rule 5.3(a)(2) provides that self-represented litigants “must promptly file with the court and serve upon all other parties a Notice of Change of Address specifying the new address for service.” L.R. 5.3(a)(2). Local Rule 5.3(b)(1) provides that the Court may dismiss, without prejudice, a complaint when a document “directed to a self-represented party by the court has been returned to the court as not deliverable.” L.R. 5.3(b)(1). The Court will dismiss Kelly’s Complaint for failure to provide an updated physical address pursuant to L.R. 5.3(a)(2) and L.R. 5.3(b)(1).

ORDER

Accordingly, **IT IS ORDERED:**

Plaintiff Kelly's Complaint (Doc. 2) is hereby **DISMISSED without prejudice** for failure to provide an updated physical address. L.R. 5.3(a)(2), (b)(1).

The Clerk of Court is directed to enter judgment forthwith.

DATED this 17th day of February, 2023.



Brian Morris, Chief District Judge
United States District Court